Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
12/04/2020	Internal Affairs Bureau	☐	☑

Incident Information

URN:	018-08012-0560-052	Date: June 28, 2018	Time: 0841

City or Station: Temple Station

Location: [redacted] Rosemead Boulevard, South El Monte

Nature of Incident: Suspect Garcia charged at Deputy [redacted] with a knife in-hand. Deputy [redacted] fired three rounds at Suspect Garcia striking him in the right shoulder and right leg.

Location Type (*check one or more*):
- ☐ Backyard
- ☐ Beach
- ☐ Business
- ☐ Freeway
- ☐ Industrial
- ☐ Park
- ☐ Parking Lot
- ☑ Residence
- ☐ Rural
- ☐ School
- ☐ Street
- Other:

Lighting (*check only one*):
- ☐ Darkness
- ☑ Daylight
- ☐ Other
- ☐ Street Lights

Weather (*circle only one*):
- ☑ Clear
- ☐ Cloudy
- ☐ Fog
- ☐ Rain

Distance: 8'-10'

Incident Type (*check one or more*):
- ☐ Accidental
- ☑ Armed Person
- ☐ Fleeing Suspect
- ☐ Foot Pursuit
- ☐ Gun Take Away
- ☐ Moving Vehicle
- ☐ Sniper/Ambush
- ☐ Startle
- ☐ Struggle Involved
- ☐ Traffic Stop
- ☐ Unarmed Person
- ☐ Unintentional
- ☐ Vehicle Pursuit
- ☐ Warrant Service
- ☐ Warning Shot
- Other:

Initiated by (*check only one*):
- ☐ Arrest Warrant
- ☑ Call
- ☐ Observation
- ☐ One Person Unit
- ☐ Other
- ☐ Search Warrant
- ☐ Two Person Unit

Prior Activity (*check only one*):
- ☐ Detective
- ☐ Inmate Transport
- ☐ Other
- ☑ Routine Patrol

Aero Unit? ☐ Canine Unit? ☐

Total # of Shots Fired by Deputy: Three

Total # of Shots Fired by Suspect: None

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*check only one*)	ShiftType (*check only one*)
[redacted]	Johnson	James	E.	☐ EM ☐ PM ☑ Day	☐ Regular ☑ Overtime ☐ Off Duty
[redacted]	Bui	Vu	N.	☐ EM ☐ PM ☑ Day	☑ Regular ☐ Overtime ☐ Off Duty
[redacted]	Inthavong	Scott		☐ EM ☐ PM ☑ Day	☑ Regular ☐ Overtime ☐ Off Duty

Non-Employee Witnesses

Last Name [redacted] M.I.

Street Address [redacted] City Zip [redacted]

Last Name [redacted] M.I.

St[redacted] City [redacted]

Last Name [redacted]

Str[redacted] Zip Code Work Ph Home Ph [redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(*check one or more*)
[redacted]	Summers	Shawn	J.	☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting
				☐ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Lopez	Oscar	L.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Bell	Terrence	L.

PSTD Use Only

SH # 2458357

SH-R-438A (rev. 10/01/15)

See Reverse

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
06/28/2018		12/04/2020	

Employee #	Last Name	First Name	M.I.
[redacted]	Powers	James	C.
[redacted]	Ortega	Hank	M.
[redacted]	Azteca	Javier	P.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED (one code per block)

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	OE	ZZ	N/A			NN	NN
E#1	S#1	FH	SS	9	Y	Y	GS	SH

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 018-08012-0560-052

Involved Employee

E 1

Employee # [redacted]	Last Name [redacted]		
Sex: [redacted]	Rank: [redacted]	Unit Assignment: [redacted]	Work Assignment (Unit #, Module, etc.): [redacted]
ShiftTime (*circle only one*): [redacted] EM [redacted] PM [redacted] Day	ShiftType (*circle only one*): [redacted] Regular [redacted] Overtime [redacted] Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☑
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors:
Age: [redacted] Height: [redacted]	Weight: [redacted]		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Sig Saur	Caliber 9mm	# Shots 3	Weapons Fired Brand: Caliber # Shots
Field Training Officer Emp # [redacted]	Last Name [redacted]		
Field Training Officer Emp # [redacted]	Last Name [redacted]		

E __

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber	# Shots	Weapons Fired Brand: Caliber # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E __

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber	# Shots	Weapons Fired Brand: Caliber # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

URN: 018-08012-0560-052

Suspect Information

S 1

Last Name: Garcia	First Name: Pedro	M.I. N.
AKA Last Name:	First Name:	M.I.

Sex: M Race: H	Street Address: [redacted]	City: [redacted]	
Work Phone: None	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 55 D.O.B. 06/06/1963	Height: 5'10" Weight: 230	FBI # [redacted]	CII # [redacted]
Booking # 5352524	Primary Charge: 245(c) P.C.	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☑	Apprehended? ☑	Mental Illness? ☑	Criminal History? [redacted]

Vehicle Make: Model: Year: Parole: [redacted] Probation: [redacted] Prior Felony Conviction: [redacted]

S

Last Name:	First Name:	M.I.
AKA Last Name:	First Name:	M.I.

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐

Vehicle Make: Model: Year: Parole: Probation: Prior Felony Conviction:

S

Last Name:	First Name:	M.I.
AKA Last Name:	First Name:	M.I.

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐

Vehicle Make: Model: Year: Parole: Probation: Prior Felony Conviction:

S

Last Name:	First Name:	M.I.
AKA Last Name:	First Name:	M.I.

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐

Vehicle Make: Model: Year: Parole: Probation: Prior Felony Conviction:

See Other Side

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name [redacted]
Street Address [redacted]

Last Name [redacted]
Street Address [redacted]

Last Name [redacted]
Street Address [redacted] Zip Code Work Ph Home Ph

Last Name [redacted]
Street Address [redacted]

Last Name [redacted]
Street Address [redacted]

Last Name [redacted]
Street Address [redacted]

Last Name [redacted]
Street Address [redacted]

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.		
Villanueva	Jose	A.		
Street Address	**Zip Code**	**Work Ph**	**Home Ph**	
Deputy Sheriff, Los Angeles County		626-285-7171		

Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	

Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	

Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	

Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	

Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	

Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	

Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	

Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	

Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	

Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	

Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	

Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	

Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	

Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	

Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT: **On-Duty Hit Shooting, Suspect Injured**

IAB FILE NUMBER: **SH 2458357**

URN#: **018-08014-0560-052**

DATE/TIME: **June 28, 2018 / 0841 Hours**

LOCATION: **[redacted] Rosemead Boulevard, South El Monte**

SYNOPSIS:

An Internal Affairs Bureau (IAB) Force and Shooting Rollout Team comprised of Lieutenant James Powers, #[redacted] along with Sergeants Hank Ortega, #[redacted] and Javier Azteca, #[redacted] responded to an on-duty hit shooting in Temple City, involving Deputy [redacted] and Suspect Pedro Garcia. When Suspect Garcia ran toward Deputy [redacted] with a knife in-hand, and a deputy involved shooting occurred. As a result of the shooting, Suspect Garcia sustained gunshot wounds to his right shoulder and right leg.

SUMMARY:

On Thursday, June 28, 2018, deputies from Temple Station responded to a call for service regarding a man with a knife, incident number TEM18179-0098, in the area of Rosemead Boulevard and Bruin Avenue in South El Monte. Deputy [redacted] arrived first, in tandem with Deputy James Johnson. Deputy [redacted] parked his patrol vehicle adjacent to the west curb in front of [redacted] Rosemead Boulevard, a [redacted] Deputy Johnson parked behind him. Both patrol vehicles were facing south. When Deputy [redacted] parked, he looked west into the [redacted] and saw Suspect Garcia exit [redacted] #[redacted]

> **IAB NOTE: Bruin Avenue terminates at Rosemead Boulevard, approximately [redacted] feet to the [redacted] of [redacted] Rosemead Boulevard.**

Suspect Garcia was shirtless and bleeding from the forehead. At first, Deputy [redacted] thought Suspect Garcia was the victim of a crime. He pointed Suspect Garcia out to Deputy Johnson, after both deputies exited their respective patrol vehicles. Suspect Garcia looked at Deputy [redacted] and walked toward him. As Suspect Garcia approached, both deputies saw an approximately eight-inch Santoku-style kitchen knife in Suspect

Garcia's right hand. Suspect Garcia raised the knife above his head. He held the knife by the handle with the blade facing down and the point of the knife directed toward Deputy [redacted]

IAB NOTE: A Santoku-style kitchen knife is a general-purpose knife, originating in Japan.

Deputy [redacted] drew his duty handgun and immediately ordered Suspect Garcia to, "Drop the knife." Deputy [redacted] activated the duplex patch via his handheld radio. He radioed for assistance, broadcasting he was holding a person with a knife at gunpoint.

Suspect Garcia ignored Deputy [redacted] orders, pounded his chest with his fist, and continued to walk toward Deputy [redacted] As these events were unfolding, Deputy Johnson retrieved his Taser from his patrol vehicle. Deputy [redacted] continued ordering Suspect Garcia to, "Drop the knife!" Deputy [redacted] also told Suspect Garcia he was not going to shoot him.

Suspect Garcia walked east toward Deputy [redacted] then increased his pace to a jog, charging toward Deputy [redacted] Deputy [redacted] at the time, was standing on the passenger's side of his patrol vehicle, directly in Suspect Garcia's path. Deputy [redacted] moved to the driver's side of his patrol vehicle, placing the patrol vehicle between himself and Suspect Garcia. Suspect Garcia ran approximately twenty feet before changing directions, jogging in a southeast direction.

Deputy [redacted] believed Suspect Garcia changed directions in an effort to run around the hood of his patrol vehicle to stab him. Deputy [redacted] feared Suspect Garcia was going to kill him and fired three rounds at the suspect. Suspect Garcia fell forward onto the ground, face down. Immediately after Deputy [redacted] fired, Deputy Vu Bui arrived. Deputy [redacted] broadcasted via his radio a "998" occurred and requested medical services for Suspect Garcia.

IAB NOTE: "998" is a Los Angeles County Sheriff's Department radio code meaning, "Deputy involved in [a] shooting."

Deputy Scott Inthavong arrived seconds after the shooting. Suspect Garcia still had the knife in his right hand as he laid on the ground. He raised the knife and pointed it at Deputy [redacted] Deputies [redacted] Bui, Inthavong, and Johnson ordered Suspect Garcia to drop the knife. Suspect Garcia complied and dropped the knife. Deputies Bui, Inthavong, and Johnson approached Suspect Garcia with their handguns drawn. Once they reached Suspect Garcia, Deputy Johnson kicked the knife away from Suspect Garcia. Deputies Inthavong and Bui subsequently handcuffed Suspect Garcia. Suspect Garcia did not resist Deputies Inthavong and Bui. Deputy Johnson retrieved towels from a patrol vehicle and gave them to Deputies Bui and Inthavong. Deputy Bui applied pressure to Suspect Garcia's right shoulder while Deputy Inthavong applied pressure to Suspect Garcia's right leg until the arrival of medical personnel. Suspect

Garcia was subsequently transported to Los Angeles County, University of Southern California, Medical Center (LCMC), where he was treated for his injuries.

Lieutenant Terrence Bell, #[redacted] the Temple Station watch commander, took reasonable steps to ensure the involved parties and witnesses did not discuss the incident amongst themselves, or with uninvolved persons, prior to being interviewed by the assigned investigators. Lieutenant Bell confirmed the involved personnel and witness personnel were gathered in the company of a supervisor until they provided a statement to the assigned investigators.

Detectives Mark Perez, #[redacted] and Philip Guzman, #[redacted] from the Los Angeles County Sheriff's Department Homicide Bureau arrived and assumed control of the investigation. For further information, refer to the Homicide Casebook, under file number 018-08014-0560-052 **[EXHIBIT A]**.

DISTRICT ATTORNEY'S LETTER OF OPINION

The Justice System Integrity Division of the Los Angeles County District Attorney's Office reviewed this incident. In their letter of opinion, dated January 29, 2020, Deputy District Attorney Shannon Presby concluded Deputy [redacted] acted lawfully, and in self-defense, when he used deadly force against Suspect Garcia **[EXHIBIT B]**.

INVOLVED PERSONNEL AND WORK HISTORY

Deputy [redacted] #[redacted]
East Patrol Division
[redacted]

Work History
Date of Employment:
Date Assigned to Patrol, Palmdale Station:
Date Completed Patrol Training:
Date Assigned to Temple Station:
Prior Shooting Incident(s):
Prior Founded Force Incident(s):


[redacted]

Equipment Worn on Person

Sig Sauer, model P226 TACOPS, 9mm semi-automatic handgun, with two magazines, O.C. spray, expandable baton, two handcuff cases, portable radio, keys

SUSPECT'S INFORMATION

Pedro Novoa Garcia - Male, Hispanic, DOB: June 6, 1963, 5'10", 230 pounds.
CII #[redacted] MAIN #[redacted] FBI #[redacted]

The Consolidated Criminal History Reporting System (CCHRS) revealed Suspect Garcia had [redacted] Suspect Garcia's CCHRS report can be found in **Miscellaneous Documents**.

As a result of this incident, Suspect Garcia was charged with Assault on a Peace Officer, 245(c) P.C. The case was filed in Los Angeles County Superior Court under case number KA118494. Suspect Garcia was deemed mentally incompetent to stand trial and is currently housed at Patton State Hospital.

SUSPECT'S INJURIES

Suspect Garcia sustained one gunshot wound to his right clavicle and one gunshot wound to his right tibia/knee during the incident. Suspect Garcia also had a laceration across his forehead. Suspect Garcia's medical records were submitted as **[EXHIBIT C]**.

DEPUTY INJURIES

None

PHYSICAL EVIDENCE

Evidence was documented by Homicide Bureau investigators and Scientific Services Bureau personnel. All physical evidence was photographed, documented, and collected by Forensic Identification Specialists Antoinette Bravo, #[redacted] Mira Amin, #[redacted] and Senior Criminalist Ilene Krokaugger, #[redacted] The overall scene was sketched by Michelle-Rene Marmolejo, #[redacted] **[EXHIBIT A, pages 55-57]**. Senior Criminalist Marco Iezza, #[redacted] conducted a function test on Deputy [redacted] handgun **[EXHIBIT A, pages 62-63]**

Two DVD-R's containing crime scene photographs was submitted as **[EXHIBIT D]**. The photographs referenced during the IAB employee witness interviews and the IAB involved employee interview are combined into one exhibit, **[EXHIBIT E]**. The photographs presented during these interviews were taken from Google Maps and aided in identifying approximate locations of personnel and their observations.

INVESTIGATOR'S OBSERVATIONS

The scene was described in detail by Homicide Detectives Gary Sloan, #[redacted] and Brandt House, #[redacted] **[EXHIBIT A, pages 44-50]**.

WEAPON USED BY DEPUTY [redacted]

Sig Sauer, model P226 TACOPS, 9mm semi-automatic handgun serial, #[redacted] Deputy [redacted] training records indicated he last qualified on [redacted] See **Miscellaneous Documents** for Deputy [redacted] training records.

WEAPON USED BY SUSPECT PEDRO GARCIA

Suspect Garcia possessed an approximately eight-inch Santoku-style kitchen knife, with a steel blade and a black plastic handle. Suspect Garcia's knife is documented on page 45 of **[EXHIBIT A]** and photos of the knife can be found in **[EXHIBIT D, DVD-2]**.

PROPERTY DAMAGE

A possible bullet hole was discovered by Scientific Services Bureau personnel in a gray Nissan vehicle parked in the driveway of the mobile home park. The possible bullet hole was documented **[EXHIBIT A, page 52]**.

CRIMINAL INVESTIGATORS

The criminal investigation into the shooting was handled by Homicide Bureau Detectives Philip Guzman and Mark Perez.

LIGHTING AND WEATHER CONDITIONS

The incident occurred outdoors during daylight hours at 0841 hours. The weather was clear.

RADIO TRAFFIC

Personnel utilized Dispatch 11 frequency and Temple Station's tactical frequency (L-TAC) during the incident. The radio traffic and related recorded phone calls are contained on one compact disc **[EXHIBIT F]**. The radio transmissions containing significant events during the incident can be found in the folder labeled "Incident Radio Traffic." There are four audio files for Dispatch 11: Dispatch 11-1, Dispatch 11-2, Dispatch 11-3, and Dispatch 11-4, respectively. These files have a total duration of fourteen minutes and thirty-four seconds. The audio for L-TAC has two audio files labeled L-TAC 1 and L-Tac 2, respectively. These files have a total duration of twenty-seven seconds. The following is a list of the radio transmissions. The titles are in bold, followed by the verbiage contained within the file. The verbiage is a summary of what was said, unless quotations are used. The times used to indicate significant events are the elapsed time on the audio file, not the time the incident occurred.

EXHIBIT F also contains one additional radio transmission audio file provided by Homicide Bureau. This audio file labeled, "Vehicle vs. Pedestrian Call," is related to the incident. The incident was initially classified as a vehicle versus pedestrian traffic

collision and this audio file contains the Sheriff's Communication Center (SCC) dispatcher's voicing of the call. This audio file can be found in the "Additional Radio Traffic" folder.

DISPATCH 11-1

00:00 – SCC dispatcher broadcasted 417A (Person with a knife) call for service.

00:06 – SCC dispatcher advised on "open mic."

> **IAB NOTE: "Open mic" is a term used to describe a radio microphone that was accidently keyed up to broadcast over a dispatch channel. A low-volume conversation can be heard in the background of this audio file indicating a microphone was keyed. The conversation seemed to interfere with units broadcasting.**

00:14 – Unidentified unit made brief inaudible broadcast.

00:24 – SCC dispatcher, "55 if you're that unit, respond Code-3."

00:34 – SCC dispatcher requested a second unit Code-3 (Respond with lights and siren).

01:02 – Unit "50N2 in three."

01:42 – Unit "53 in two."

01:55 – Unit 55B3 authorized Code-3.

02:37 – Unit [redacted] "97 in the area" (Arrived at scene).

02:48 – Unit 53H also went "97 in the area."

02:58 – 53 "97."

03:15 – Unit [redacted] "10-33 give me the patch" (Request emergency radio clearance).

03:21 – Unit [redacted] "Detaining a 417A suspect at gunpoint, [redacted] Rosemead Boulevard, I'm going to be facing westbound. DP (Disturbing party) is refusing to drop the knife. I need additional units Code-3."

03:42 – Unit 53A advised responding in "one."

03:53 – Unit [redacted] advised a "998" occurred. Request "902R" (Request medical rescue).

04:03 – SCC dispatcher acknowledged "902R," asked Unit [redacted] to confirm the address.

04:24 – "Just be advised DP is refusing (inaudible). Any additional units, do me a favor, shutdown all southbound traffic on Rosemead Boulevard from Garvey."

04:45 – Location confirmed as Rosemead Boulevard and Garvey Avenue.

05:00 – Unit "55T1 has Garvey and Rosemead."

05:10 – Unidentified Aero Bureau unit requested the nature of the emergency.

05:30 – SCC dispatcher advised Aero Bureau unit a "998" occurred.

05:40 – Unit 53A advised the SCC Dispatcher, "Suspect is conscious and breathing, he has been shot, he's getting handcuffed now." 902R requested to [redacted] Rosemead Boulevard.

05:58 – Unit 53A advised, "We are Code-4 detaining one, handcuffed."

06:03 – SCC dispatcher advised fire was 914N (Fire notified).

07:03 – SCC dispatcher requested estimated response time from Unit 50S.

07:15 – Unit 50S advised a one-minute estimated time of arrival (ETA).

07:26 – Unit 53A requested a tactical frequency. SCC advised A-TAC 1 was available.

07:39 – Unit 53A requested all units switch over to A-TAC 1.

07:52 – SCC dispatcher told units to remain on the patch per the Temple Station desk.

08:15 – Aero Bureau unit coordinated blocking off traffic on Rosemead Boulevard.

Dispatch 11-2

01:12 – Command post placed at Rosemead Boulevard and Garvey Avenue.

Dispatch 11-3

00:00 – Aero Bureau unit requested a unit at Rosemead Boulevard and Bruin Avenue.

Dispatch 11-4

00:00 – SCC asked Unit 53A to finish containment.

00:12 – Aero Bureau unit requested two units Code-3 from Industry Station for the

containment.

00:22 – Unit 131F en route.

00:45 – SCC advised two Industry Station and two Walnut Station units were responding Code-3.

01:18 – Unit 292K1 advised an ETA of ten to fifteen minutes.

01:39 – Unit 53B advised a unit was being sent to Rosemead and Rush to block traffic.

02:00 – Unit 53A requested the Aero Bureau unit to switch all units to A-Tac 1.

02:14 – SCC dispatcher advised units to switch to A-TAC 1.

02:28 – SCC advised patch was cleared at 0900.

L-TAC 1

00:00 – Unit 55 told a responding unit to "927C, I got a Taser."

IAB NOTE: 927C is a Los Angeles County Sheriff's Department radio code meaning, "Check the area."

L-TAC 2

00:00 – Unit 55 asked if responding units had a stun bag.

911 CALLS

The 9-1-1 calls consist of five audio files and are contained in "911 Calls" folder of **[EXHIBIT F]**. The first file named "Vehicle vs. Pedestrian" contains a combination of three 9-1-1 calls. The first call came from a person named "[redacted]" who reported a vehicle ran over a man on Garvey Avenue and Rosemead Boulevard. This was just north of where the incident occurred and seemed to be related to the incident. The second caller was Witness [redacted] reporting Suspect Garcia running through traffic with a knife; he was later interviewed by Homicide Bureau investigators. The last call was regarding an un-related vehicle burglary.

The remaining four files consist of the 9-1-1 calls placed by Witnesses [redacted] (two files), [redacted] and [redacted]

VIDEO FOOTAGE

None.

INTERVIEWS

All interviews conducted in this case by IAB investigators and Homicide investigators were audio recorded and transcribed, unless otherwise noted. The following are summations of the actual interviews. For verbatim statements, and exact wording, refer to the transcripts.

INVOLVED EMPLOYEE

Deputy [redacted]

Homicide Interview

On June 28, 2018, Homicide Detectives Perez and Guzman interviewed Deputy [redacted] A summary of the interview can be found in the Homicide Casebook **[EXHIBIT A, pages 37-39]**.

Homicide Round Count

On June 28, 2018, Homicide Detectives Perez and Guzman conducted a round count of Sergeant Deputy [redacted] handgun, a Sig Sauer, model P226 TACOPS, 9mm semi-automatic handgun serial, #[redacted]A[redacted] Deputy [redacted] carried his handgun with one round in the chamber and 20 rounds in the magazine. The handgun contained 18 rounds, one in the chamber, and 17 in the magazine, indicating Deputy [redacted] fired three rounds.

Internal Affairs Bureau Interview

On October 7, 2020, IAB investigators interviewed Deputy [redacted] at the Internal Affairs Bureau office. He was represented by attorney Robert Wexler. The following a summary of the interview.

Deputy [redacted] stated he worked [redacted] on June 28, 2018, and was assigned to Unit [redacted] While working, a Code-3 response was requested over the radio to Rosemead Boulevard and Bruin Avenue in South El Monte. The call indicated a male Hispanic, wearing no shirt, bleeding from the face, was carrying a knife. The male Hispanic was running through traffic attempting to enter vehicles. Deputy [redacted] thought the person described in the call may be trying to carjack people. He felt he needed to get there as quickly as possible to render aid or to take the person into custody **[[redacted] IAB interview transcripts, page 11]**.

There was an "open mic" on Dispatch 11, and Deputy [redacted] was trying to broadcast he had a close ETA. He was approximately a minute and a half, to two minutes away. Deputy [redacted] did not pay attention to any conversations on L-TAC, as he was focused on broadcasting his time estimate over Dispatch 11.

Deputy [redacted] traveled south on Rosemead Boulevard from Garvey Avenue and arrived at the [redacted] Deputy Johnson was behind Deputy [redacted] he travelled in tandem to the call for service. Deputy [redacted] parked in front of the [redacted] because the last update he had on the call for service was that the disturbing party (DP) was last seen running into the [redacted]

IAB NOTE: Using a photograph provided during the interview, Deputy [redacted] marked the locations the patrol vehicles were parked with rectangles coming to a point. The pointed indicated the direction the patrol vehicles faced. He marked placed the letters "L" and "J" in the rectangles Indicated his patrol vehicle and Deputy Johnson's patrol vehicle, respectively [EXHIBIT E, Lovitt, photograph B].

As Deputy [redacted] parked his patrol vehicle, he looked west and scanned the driveway of the [redacted] He saw Suspect Garcia emerge from a north facing security screen door belonging to a [redacted] on the south side of the park.

IAB NOTE: Using a photograph provided during the interview, Deputy [redacted] marked the [redacted] Suspect Garcia possibly exited with several dots [EXHIBIT E, Lovitt, photograph B].

Deputy [redacted] noticed Suspect Garcia was shirtless and bleeding from the forehead. The blood seemed to be coming from a laceration across Suspect Garcia's forehead. Deputy [redacted] was "pretty confident" Suspect Garcia was the party indicated in the call for service. Suspect Garcia also "matched" the description in the call [[redacted] **IAB interview transcripts, page 17]**. Deputy [redacted] exited his patrol vehicle as Suspect Garcia exited the mobile home.

Suspect Garcia walked east, toward a blue or gray Nissan parked in the driveway of the [redacted] Deputy [redacted] walked around his patrol vehicle and stood on the west side of his patrol vehicle. Once the suspect walked by the Nissan, Deputy [redacted] attention was drawn to Suspect Garcia's right hand. Suspect Garcia was holding a kitchen knife. The knife was nine to ten inches in length. Suspect Garcia held the knife at his side, at first, then raised it to just above his head. He held the knife in a "stabbing motion" with the length of the blade facing down and pointing away from his pinky [[redacted] **IAB interview transcripts, pages 20-21]**. Deputy [redacted] believed only a few seconds had elapsed from the time he exited his patrol vehicle to the time he saw Suspect Garcia raise the knife. No words were spoken between Deputy [redacted] and Suspect Garcia up to this point.

Deputy [redacted] drew his handgun and pointed it at Suspect Garcia. He ordered Suspect Garcia to "Drop the knife!" three times. Suspect Garcia shook his head and said, "No," to all three commands. Deputy [redacted] yelled his commands as loud as he could. He believed Suspect Garcia heard him as Suspect Garcia gave the aforementioned verbal and nonverbal responses.

Deputy [redacted] saw Deputy Johnson standing near the trunk of his (Deputy [redacted] patrol vehicle. Deputy [redacted] did not know what Deputy Johnson was doing. His focus was on Suspect Garcia. Deputies [redacted] and Johnson did not communicate with each other. Deputy [redacted] was focused on giving Suspect Garcia commands. He did not have time to speak with Deputy Johnson as about six seconds elapsed between Deputy [redacted] exiting his patrol vehicle and Suspect Garcia raising the knife [redacted] **IAB interview transcripts, pages 24-25]**. Deputy [redacted] did not know why Suspect Garcia was taking these actions and had no prior contacts with Suspect Garcia. As these events were unfolding, Suspect Garcia kept his attention on Deputy [redacted] staring straight at him.

Suspect Garcia pounded his chest three or four times without saying a word. Deputy [redacted] told Suspect Garcia, "No, I'm not gonna shoot you man" and gave Suspect Garcia additional orders to "Put the knife down." Suspect Garcia began to walk toward Deputy [redacted] Deputy [redacted] broadcasted emergent radio traffic that he was detaining a "417A" suspect at gunpoint, stated his location, the direction he was facing, and indicated Suspect Garcia refused to drop the knife [redacted] **IAB interview transcripts, page 28]**.

Suspect Garcia walked two or three steps toward Deputy [redacted] at a normal pace then, "Picked up the pace" [redacted] **IAB interview transcripts, page 30]**. Deputy [redacted] described Suspect Garcia's pace as a "slow jog." The knife was still in Suspect Garcia's right hand and he was holding it in the same, aforementioned, stabbing manner. Deputy [redacted] thought Suspect Garcia was going to "stab" him. Deputy [redacted] "backpedaled" and repositioned himself on the east side of his patrol vehicle, placing the patrol vehicle between himself and Suspect Garcia [redacted] **IAB interview transcripts, page 31]**. Deputy [redacted] watched Suspect Garcia through his peripheral vision while maneuvering himself around his patrol vehicle. He was also watching the traffic on Rosemead Boulevard. Deputy [redacted] stated Rosemead Boulevard is a "major roadway," with three lanes of traffic, and a speed limit of 50 miles per hour.

Deputy [redacted] thought Suspect Garcia was going to kill him. Deputy [redacted] said, "I thought he was gonna kill me because that knife would easily go through my vest or cut my head off. I mean, realistically, it could go -- I mean, it -- it's a large kitchen knife. It would easily go through my vest into my vital organs and kill me." Deputy [redacted] continued, "Yeah, at this point because he's still looking eye-to-eye with me, he's still focused on me. At this point, I knew he was coming for me. I knew he was coming to stab me. There was no doubt in my mind and I knew I was in fear for my life that there -- it was inevitable if I didn't stop him or do something that he was going to kill me" [redacted] **IAB interview transcripts, pages 33-34]**.

Around the same time Deputy [redacted] took a position on the east side of his patrol vehicle, Suspect Garcia changed his path of travel. He started running at a 45-degree angle in a southeast direction. It appeared Suspect Garcia was trying to run around his patrol vehicle.

IAB NOTE: Using a photograph provided during the interview, Deputy [redacted] marked Suspect Garcia's path with a red line. He connected another red line at an approximately 45 degree angle, indicating Suspect Garcia's change in direction [EXHIBIT E, [redacted] photograph B].

Suspect Garcia was now about 20 feet away from Deputy [redacted] Deputy [redacted] said, "...I was in fear that if I didn't act and didn't do something now – cause I can't go into traffic, and I knew I had nowhere to go. I couldn't go behind my radio car because I would lose visual of him. I couldn't go into traffic because I would get hit by a car. I remember that I thought to myself, 'I'm stuck. If I don't shoot him, I'm gonna die'" [redacted] **IAB interview transcripts, page 37]**. Deputy [redacted] subsequently fired three rounds in direct succession at Suspect Garcia. The incident happened quickly and Deputy [redacted] did not have a chance to "pick up his sights." Deputy [redacted] said, "I put my weapon on him and I fired three rounds as quickly as I could" [redacted] **IAB interview transcripts, page 37]**. Deputy [redacted] backdrop at the time included the aforementioned Nissan vehicle and a tall tree, both to his west.

IAB Note: Using a photograph provided during the interview, Deputy [redacted] circled the tree in his backdrop and the approximate location of the Nissan vehicle [EXHIBIT E, [redacted] photograph C].

After Deputy [redacted] fired, Suspect Garcia fell to the ground. Deputy [redacted] was unsure how many of his rounds struck Suspect Garcia. Deputy [redacted] subsequently sidestepped to his south and "assessed the situation" [redacted] **IAB interview transcripts, page 39]**. Suspect Garcia was now face down on the ground. Suspect Garcia, again, made eye contact with Deputy [redacted] and lifted his head up. He changed his grip on the knife, now pointing it up in the air.

IAB Note: Using a photograph provided during the interview, Deputy [redacted] paced a circle in the approximate area Suspect Garcia fell to the ground [EXHIBIT E, [redacted] photograph B].

Deputy [redacted] continued holding Suspect Garcia at gunpoint. Deputy [redacted] saw Deputy Johnson standing near the back of his (Deputy [redacted]) patrol vehicle, also holding Suspect Garcia at gunpoint. Deputy [redacted] saw Deputy Bui approach from the north, walking toward Suspect Garcia. Deputies Bui and Johnson ordered Suspect Garcia to "Drop the knife." Suspect Garcia dropped the knife, Deputy [redacted] did not remember if

Suspect Garcia threw the knife, or simply dropped it.

Once Suspect Garcia dropped the knife, Deputy [redacted] holstered his handgun and walked north toward the trunk of his vehicle. He was now facing north and was no longer looking at Suspect Garcia or the other deputies' on-scene. Deputy [redacted] wanted to separate himself from the incident [redacted] **IAB interview transcripts, page 44]**.

Deputy [redacted] was subsequently transported to the command post by an unknown male deputy. He remained at the command post for a few minutes before being transported to Temple sheriff's station.

EMPLOYEE WITNESSES

Deputy James Johnson

Homicide Interview

On June 28, 2018, Homicide Detectives Perez and Guzman Interviewed Deputy Johnson. A summary of this interview can be found in the Homicide Book **[EXHIBIT A, pages 36-37]**.

Internal Affairs Bureau Interview

On November 6, 2020, IAB investigators interviewed Deputy Johnson at the Internal Affairs Bureau office. He was represented by Attorney Robert Wexler. The following is a summary of the interview.

Deputy Johnson was working dayshift as Unit 53 on June 28, 2018. He stated he was possibly in the area of Garvey Avenue, west of Rosemead Boulevard, when the call came out regarding a male, possibly Hispanic, carrying a knife, bleeding from the head. He was approximately one minute and a half away from the incident. Numerous units were transmitting on the radio attempting to obtain approval to respond Code-3.

While driving to the incident, Deputy Johnson saw Deputy [redacted] pass him on Rosemead Boulevard, responding Code-3. Deputy Johnson followed Deputy [redacted] without activating his lights and siren. Deputy [redacted] parked in front of the driveway of the [redacted] on the west side of southbound Rosemead Boulevard; Deputy Johnson parked a few feet behind Deputy [redacted] Both deputies exited their patrol vehicles.

After Deputy Johnson exited his patrol vehicle, he saw Deputy [redacted] pointing west into the [redacted] Initially, he could not see what Deputy [redacted] was pointing at, as there was a large hedge blocking his view. Deputy Johnson believed Deputy [redacted] was pointing at Suspect Garcia. Deputy [redacted] started to yell, ordering Suspect Garcia to, "Put down the knife." Deputy Johnson went back to his patrol vehicle and grabbed his Taser from inside the passenger compartment. Deputies Johnson and [redacted] did not

form a tactical plan. Deputy Johnson stated he has worked with Deputy [redacted] many times and both understood the tactics expected of each other. They also have discussed tactical situations amongst themselves in the past **[Johnson, IAB interview transcripts, page 19]**.

> **IAB note: Using a photograph provided during the interview, Deputy Johnson marked where he and Deputy [redacted] parked their patrol vehicles with rectangles coming to a point. The point faced the direction the patrol vehicles were parked. Deputy Johnson placed a "J" above his vehicle and an "L above Deputy [redacted] vehicle [EXHIBIT E, Johnson photograph A].**

Deputy Johnson obtained his first glimpse of Suspect Garcia when he went to his patrol vehicle to obtain his Taser. Suspect Garcia was standing to his west, in the driveway of the [redacted] facing east. Suspect Garcia was a heavyset male Hispanic with blood on his face. Suspect Garcia held a six-inch kitchen knife in his right hand at about eye level. Suspect Garcia was holding the knife with the blade pointed forward.

Deputy Johnson tried to position himself near the passenger door of Deputy [redacted] patrol vehicle. Deputy [redacted] was to his south. Deputy Johnson attempted to place himself in a position to "taze" Suspect Garcia. Deputy Johnson focused on Suspect Garcia and did not know if Deputy [redacted] had his handgun drawn. Suspect Garcia was standing approximately twenty feet west of Deputy [redacted] near the hood of an east-facing silver vehicle.

Deputy [redacted] repeatedly ordered Suspect Garcia to, "Drop the knife!" Deputy Johnson did not give Suspect Garcia orders. Deputy Johnson was part of both the Crisis Negotiation Team and the Crisis Intervention Team, and did not want to cause confusion by giving additional orders. Suspect Garcia did not follow Deputy [redacted] orders and suddenly "charged" at Deputy [redacted] Deputy Johnson did not believe Suspect Garcia charged at a full sprint. He described Suspect Garcia's "charge" as a football player charging forward after the ball is hiked **[Johnson, IAB interview transcripts, pages 26-27]**. Deputy Johnson began to transition from his Taser to his handgun. Deputy Johnson, being ambidextrous, carried his Taser in his left hand and his handgun in his right hand.

Suspect Garcia ran approximately seven to ten feet when Deputy Johnson heard three consecutive "pops" (gunshots) coming from his south. Deputy Johnson knew Deputy [redacted] fired the rounds. Deputy Johnson chose not to fire his handgun as there was a [redacted] in his backdrop and he could have hit an innocent person. He opined he could have possibly hit Suspect Garcia; however, based on his backdrop, he chose not to shoot **[Johnson, IAB interview transcripts, pages 28-29]**.

After hearing the gunshots, Deputy Johnson saw Suspect Garcia fall forward onto the ground with his head facing east. Suspect Garcia, still holding the knife, tried to push himself up off of the ground. Deputies Johnson and [redacted] ordered the Suspect to drop the knife. An additional deputy arrived in the interim; Deputy Johnson did not recall who. At some point, Suspect Garcia dropped the knife and possibly pushed it way from himself.

Deputy Johnson and the additional deputy approached Suspect Garcia. Deputy Johnson swept the knife with his foot, east toward the sidewalk and away from Suspect Garcia. Deputy Johnson noticed Suspect Garcia was bloody, specifically bleeding from the head. He did not know if Suspect Garcia's injury was a gunshot wound. Additional deputies arrived at that time. Deputy Johnson did not remember everyone who arrived; however, he knew Deputies Villanueva and Inthavong were on-scene. One of the arriving deputies asked Deputy Johnson for a towel. Deputy Johnson retrieved the towel from either his or Deputy [redacted] patrol vehicle and gave it to the requesting deputy. Suspect Garcia was handcuffed; however, Deputy Johnson did not know who handcuffed him.

A short time later, an ambulance arrived. Deputy Johnson believed the ambulance was already in the area, as they arrived prior to the fire department. A supervisor arrived, but Deputy Johnson did not remember who. Both Deputies Johnson and Lovitt were subsequently taken back to Temple Station. Deputy Johnson did not remember who transported him.

Deputy Vu Bui

IAB NOTE: Homicide investigators did not interview Deputy Bui.

On September 21, 2020, IAB investigators interviewed Deputy Bui at Temple sheriff's station. The following is a summary of the interview.

Deputy Bui was working dayshift as Unit 53 on June 28, 2018. At approximately 0844 hours, he responded to Rosemead Boulevard and Bruin Avenue in South El Monte for a call for service. The call indicated a shirtless male Hispanic, carrying a knife, walked into a mobile home park. Deputy Bui was on Garvey Avenue, possibly near San Gabriel Boulevard, when he first became aware of the call.

Deputy Bui responded to the call. He did not respond Code-3, rather he used his lights and siren to clear intersections in order to expedite his response. Approximately one minute later, he stopped in the area of Rosemead Boulevard and Garvey Avenue to "get his bearings." While stopped, he heard, "three, quick, rapid shot[s]" **[Bui transcripts, page 10]**. Deputy Bui was inside his patrol vehicle, with the windows down, when he heard the gunshots. Deputy Bui subsequently heard radio traffic indicating a "998" occurred.
When Deputy Bui heard the gunshots, he looked to his south and saw patrol vehicles parked approximately a football field's length away from him on the west side of

Rosemead Boulevard. He drove up and parked just to the north of the closest patrol vehicle. The patrol vehicles were parked in front of a [redacted] Deputy Bui exited his patrol vehicle and saw Suspect Garcia lying on the ground, either face up or on his side, with his head pointing east. Deputy [redacted] was standing to the east of the hood of his patrol vehicle and Deputy Johnson was standing near the trunk of Deputy [redacted] patrol vehicle. Both deputies had their handguns pointed at Suspect Garcia and ordered him to, "Drop the knife" **[Bui transcripts, page 16]**.

> **IAB NOTE: Using a photo provided during the interview, Deputy Bui marked where the patrol vehicles were parked with rectangles, coming to a point. The point notated what direction the patrol vehicles were facing. Deputy Bui also marked the position where he first saw the deputies with letters: an "L for Deputy [redacted] a "J" for Deputy Johnson. He marked the position he took with a "B" [EXHIBIT E, Bui A].**

Suspect Garcia was holding a six-inch kitchen knife in his right hand. He held the knife by the handle and pointed it in an upward direction. Deputy Bui drew his handgun and pointed it at Suspect Garcia. All the deputies present ordered Suspect Garcia to, "Drop the knife" **[Bui transcripts, page 18]**. After approximately one minute of continuous orders, Suspect Garcia dropped the knife at his side. Suspect Garcia was still able to reach the knife at that time. Deputy Bui heard the sirens of approaching patrol vehicles, indicating other responding deputies were close by.

Deputy Bui remembered Deputy Inthavong arrived and was at his side. Deputies Bui, Johnson, and Inthavong all made the decision to approach Suspect Garcia. Prior to approaching Suspect Garcia, they discussed the approach. Deputies [redacted] and Johnson remained where they were as they had a good view of Suspect Garcia.

> **IAB NOTE: Deputy Bui's supplemental report was referred to during the interview. He clarified Deputy Johnson also approached Suspect Garcia [Bui transcripts, page 23].**

With their handguns drawn and pointed at Suspect Garcia, Deputies Bui and Inthavong walked toward Suspect Garcia and converged on him. When they arrived at Suspect Garcia, Deputy Inthavong kicked the knife away from him. Deputy Bui noticed Suspect Garcia was injured and bleeding. It appeared Suspect Garcia had gunshot wounds to his right shoulder and right knee.

> **IAB NOTE: Deputy Bui's supplemental report was referred to during the interview. He clarified Deputy Johnson kicked the knife away from Suspect Garcia [Bui transcripts, page 22-24].**

Deputies Bui and Inthavong decided to handcuff Suspect Garcia. The suspect had not been searched and Deputy Bui did not know if Suspect Garcia possessed any additional weapons. Deputies Bui and Inthavong rolled Suspect Garcia onto his stomach to handcuff him. Suspect Garcia was, "A bigger gentleman," and weighed, "At least 250[pounds] or more" **[Bui transcripts, page 26]**. Deputies Bui and Inthavong used two sets of handcuffs, one from each of them, and handcuffed Suspect Garcia. Suspect Garcia was subsequently searched by Deputy Bui. Suspect Garcia did not resist the deputies while being handcuffed or searched. Deputies Bui and Inthavong then rolled Suspect Garcia onto his side.

Deputy Bui asked Deputy Johnson for a towel or a blanket, in order to apply pressure onto Suspect Garcia's wounds. Deputy Johnson retrieved a towel and gave it to Deputy Bui. Deputy Bui used the towel and applied pressure to Suspect Garcia's shoulder wound. Another unknown deputy obtained a towel and applied pressure to Suspect Garcia's leg wound. Suspect Garcia was awake at the time. Deputy Bui saw his eyes open and Suspect Garcia was "grunting," indicating he was in pain **[Bui transcripts, page 29]**. Approximately one minute later, the fire department arrived, relieved Deputy Bui, and provided medical treatment to Suspect Garcia. Suspect Garcia was transported from the scene via ambulance a short time later.

Deputy Bui did not put out any radio transmissions during the incident, other than his initial response and arrival. He remembered hearing the request for an ambulance via the radio shortly after the deputy involved shooting broadcast was transmitted.

A sergeant arrived and Deputy Bui debriefed with him. Deputy Bui did not remember if the responding sergeant was Sergeant Summers or not. Deputy Bui stated he did not have any less-lethal options on his person when the approach was made on Suspect Garcia. He believed other deputies' on-scene had Tasers on their person.

Deputy Scott Inthavong

IAB NOTE: Homicide investigators did not interview Deputy Inthavong.

On October 28, 2020, IAB investigators interviewed Deputy Inthavong at the Internal Affairs Bureau office. He was represented by Attorney Michael Schwartz. The following is a summary of the interview.

Deputy Inthavong was working dayshift as Unit 55 on June 28, 2018. Deputy Inthavong stated, at approximately 0841 hours, he received a call for service indicating a shirtless male Hispanic was carrying a knife and bleeding from the face. The call initially was a priority, but was upgraded to an emergent call for service.
He responded to the call for service and coordinated assisting units over the radio using L-Tac. He was at Rush Street and Rosemead Boulevard when he heard Deputy [redacted] broadcast over the radio a deputy involved shooting occurred. Deputy Inthavong responded Code-3 from his position and arrived on-scene approximately thirty seconds

later. When he arrived, he noticed the deputies were at a [redacted] on the west side of Rosemead Boulevard, just south of Garvey Avenue. Deputy Inthavong parked facing north in the number two lane of southbound Rosemead Boulevard.

IAB NOTE: Using a photograph provided during the interview, Deputy Inthavong marked the position the patrol vehicles with rectangles coming to a point. The point indicated the direction the patrol vehicles faced [EXHIBIT E, Inthavong, photograph A].

When Deputy Inthavong arrived, he saw Suspect Garcia on the ground, but he was not sure if the suspect was face up or down. Deputies [redacted] and Johnson were on-scene standing a "distance" away from Suspect Garcia. Deputy Inthavong could not remember exactly where they were standing or what they were doing. Deputy Bui was also on-scene. Deputy Inthavong believed Deputy [redacted] told him Suspect Garcia had a knife.

IAB NOTE: Using a photograph provided during the interview, Deputy Inthavong marked the position Suspect Garcia was in with a stick figure and used a circle to indicate the position of Suspect Garcia's head [EXHIBIT E, Inthavong photograph A].

Deputy Inthavong remembered ordering Suspect Garcia not to reach for weapons. Deputy Inthavong discussed approaching Suspect Garcia with Deputy Bui. Deputy Inthavong believed the plan was to grab Suspect Garcia and flip him over. Deputy Inthavong did not remember the approach other than walking up the driveway toward Suspect Garcia.

IAB NOTE: Using a photograph provided during the interview, Deputy Inthavong marked the route he took when he approached Suspect Garcia with a red line [EXHIBIT E, Inthavong, photograph A].

Deputy Inthavong grabbed one of Suspect Garcia's arms, but he did not remember which one. With the help of Deputy Bui, they flipped Suspect Garcia over onto his stomach. Deputy Inthavong believed he handcuffed the suspect's wrists; however, he could not remember if Deputy Bui helped. They subsequently searched Suspect Garcia and began rendering medical aid. Suspect Garcia did not resist them.

Deputy Inthavong saw blood coming from Suspect Garcia's right shoulder and right leg. Suspect Garcia also sustained an approximately two inch laceration to his forehead, and his face was covered in blood. Deputy Inthavong obtained a blanket or a towel and applied pressure to Suspect Garcia's right leg. Deputy Inthavong did not know how he received the blanket or towel.

A "CARE" ambulance was driving north on Rosemead Boulevard and pulled up to them. The medical personnel in the ambulance approached with their medical gear and assisted them. Deputy Inthavong removed the handcuffs from Suspect Garcia to allow the medical personnel to provide medical attention. The medical personnel applied a tourniquet to Suspect Garcia's leg and placed him on a gurney. Suspect Garcia was subsequently wheeled into an ambulance and transported to LCMC. Deputy Inthavong rode in the ambulance with Suspect Garcia and provided security. Suspect Garcia was cooperative during the transport and subsequent medical treatment. Deputy Inthavong remained with Suspect Garcia for several hours until he was relieved.

When the suspect was at the hospital, he was asked why he cut himself. Suspect Garcia told Deputy Inthavong, "The voices told him to do so." Suspect Garcia also told Deputy Inthavong he was bi-polar and had not been taking his medication **[Inthavong transcripts, page 30]**.

Deputy Jose Villanueva

IAB NOTE: Homicide investigators did not interview Villanueva.

On September 21, 2020, IAB investigators interviewed Deputy Villanueva at Temple sheriff's station. The following is a summary of the interview.

On June 28, 2018, Deputy Villanueva was working dayshift as Unit 53. A priority call was broadcasted indicating there was a "person with a knife" and Deputy Villanueva assigned himself as an assisting unit. Deputy Villanueva misunderstood the address at first. He thought the call was related to a [redacted] near the 9100 block of Garvey Avenue, just past Rosemead Boulevard. This [redacted] was the source of numerous calls for service and was in the vicinity of the incident.

As Deputy Villanueva responded, he heard "998" broadcasted over the radio. Deputy Villanueva was traveling eastbound on Garvey Avenue at the time. He arrived on-scene approximately twenty seconds later.

Deputy Villanueva parked his patrol vehicle in the number two lane of southbound Rosemead Boulevard and exited his patrol vehicle. He saw two marked patrol vehicles and saw Deputy [redacted] standing near the driver's side of one of the patrol vehicles. Deputy Johnson was on-scene standing near the hood of the other patrol vehicle. Deputies Inthavong and Bui were standing near Suspect Garcia, as the handcuffed him. They subsequently placed Suspect Garcia on his side. Suspect Garcia appeared to be bleeding from the upper torso. Deputy Villanueva turned his focus on Deputy [redacted] and began to coordinate the establishment of a command post and shutting down oncoming traffic on Rosemead Boulevard.

IAB NOTE: Using a photograph provided during the interview,

Deputy Villanueva marked the position of the patrol vehicles with rectangles coming to a point. The point indicated the direction the patrol vehicles faced. He notated Suspect Garcia's position with a stick figure and a circle to indicate Suspect Garcia's head. The deputies' positions were marked with letters; an "L" for Deputy [redacted] a "J" for Deputy Johnson, and an "I" for Deputy Inthavong [EXHIBIT E, Villanueva, photograph A].

Deputy Villanueva did not focus on Suspect Garcia; however, he remembered an ambulance arriving approximately a minute and a half later and placing Suspect Garcia on a gurney.

Sergeant Shawn Summers

On October 27, 2020, IAB investigators interviewed Sergeant Summers at Temple sheriff's station. The following is a summary of the interview.

Sergeant Summers worked Unit 50S on June 28, 2018. He responded to a "man with a knife" call. He verified incident number TEM18179-0098, on June 28, 2018, as the call he was referring to. He was previously assigned the call due to the nature of the incident. When he reached the area of Temple City Boulevard and Valley Boulevard, he heard Deputy [redacted] broadcast over the radio, a deputy involved shooting occurred. Sergeant Summers recognized Deputy [redacted] voice.

Sergeant Summers responded Code-3 and arrived on-scene in approximately two minutes. Upon his arrival, he obtained a safety statement from Deputy [redacted] Sergeant Summers directed Deputy Villanueva to handle the incident. Deputy [redacted] subsequently walked Deputy Villanueva through the scene. He was later transported to the command post pending an interview with Homicide detectives.

Suspect Garcia was already on a gurney and was being rolled toward an ambulance when Sergeant Summers arrived. Sergeant Summers was not on-scene when Suspect Garcia was handcuffed.

Sergeant Stevin Fiedler, #[redacted] arrived and relieved Sergeant Summers. Sergeant Summers left the scene to supervise the command post.

NON-EMPLOYEE WITNESSES

Witness [redacted]

On June 28, 2018, Homicide Detectives Perez and Guzman interviewed Witness [redacted] Witness [redacted] was a resident of the [redacted] Witness [redacted] did not witness the shooting. She was asleep at the time of the incident and was

awakened by the sound of gunshots. When she exited her residence, she saw Suspect Garcia on the ground, bleeding. A full summary of her interview can be found in the Homicide Casebook **[EXHIBIT A, pages 31-32]**.

Witness [redacted]

On June 28, 2018, Homicide Detectives Perez and Guzman interviewed witness [redacted] Witness [redacted] was a resident of the [redacted] and was watching television when the incident occurred. Witness [redacted] heard voices coming from outside. He heard, "Throw down the knife, stop!" He subsequently heard whom he recognized to be his neighbor, Suspect Garcia say, "No!" Witness [redacted] then heard three rapid shots. He looked outside his window and saw Suspect Garcia laying on the ground. He also saw two deputies standing on the driveway approximately ten feet away from Suspect Garcia. For the full summary of this interview, refer to the Homicide Casebook **[EXHIBIT A, page 32]**.

Witness [redacted]

On June 28, 2018, Homicide Detectives Perez and Guzman interviewed Witness [redacted] She was a resident of the [redacted] Witness [redacted] was bathing during the incident. She heard three gunshots followed by deputies shouting, "Drop the knife!" She also heard Suspect Garcia say, "No!" For the full summary of this interview, refer to the Homicide Casebook **[EXHIBIT A, pages 32-33]**.

Witness [redacted]

On June 28, 2018, Homicide Detectives Perez and Guzman interviewed Witness [redacted] Witness [redacted] was driving to work north on Rosemead Boulevard. She was stopped at a traffic light at Garvey Avenue. While stopped, she saw a man (Suspect Garcia) running from the [redacted] and bleeding from his head. The man was holding a knife about ten or 11 inches in length, and banged his hands on the driver's side window of a red vehicle. The suspect also stopped a truck and stood in front of it. The man subsequently ran back into the mobile home park. Witness [redacted] called 9-1-1 and drove away as traffic moved. She was not present when the shooting occurred. For the full summary of this interview, refer to the Homicide Casebook **[EXHIBIT A, pages 33-34]**.

Witness [redacted]

On June 28, 2018, Homicide Detectives Perez and Guzman interviewed Witness [redacted] Witness [redacted] was the front passenger in a separate vehicle driving north on Rosemead Boulevard. While stopped at a red light, he saw Suspect Garcia walk into the traffic lanes of Rosemead Boulevard with a knife in hand and lay down on his back in the street. Suspect Garcia then stood up, banged on car windows, and walked into the mobile home park when the traffic light turned green. Suspect Garcia was bleeding from his forehead. For the full summary of this interview, refer to the Homicide Casebook **[EXHIBIT A, pages 34-35]**.

Witness [redacted]

On June 28, 2018, Homicide Detectives Perez and Guzman interviewed Witness [redacted] Witness [redacted] was Suspect Garcia's [redacted] She did not witness the shooting; however, she heard about it from a neighbor. Witness [redacted] stated her [redacted] suffered from mental health issues, and was medicated under the care of mental health doctors. She was unaware if Suspect Garcia was injured prior to the shooting. She believed Suspect Garcia had a knife to cut down a tree. For the full summary of this interview, refer to the Homicide Casebook **[EXHIBIT A, pages 35-36]**.

Witness [redacted]

On June 28, 2018, Homicide Detectives Perez and Guzman interviewed Witness [redacted] Witness [redacted] was driving north on Rosemead Boulevard and was stopped at a red traffic light. He saw two patrol vehicles pull up to the [redacted] park. One deputy exited his patrol vehicle and pointed his gun into the [redacted] park for approximately twenty five seconds before firing three to four times. He did not see what the deputy was pointing at. Prior to the shooting, a second deputy exited the other patrol vehicle. A third patrol vehicle arrived. Witness [redacted] heard someone shout, but he could not distinguish what was said; his music was playing and his windows were rolled up. For the full summary of this interview, refer to the Homicide Casebook **[EXHIBIT A, pages 39-40]**.

Witness [redacted]

On June 28, 2018, Homicide Detectives Perez and Guzman interviewed Witness [redacted] Witness [redacted] did not witness the shooting; however, he had contact with Suspect Garcia at approximately 0300 hours the morning of the incident. Suspect Garcia asked him for help that morning and stated, "I'm going out of it," twice. Witness [redacted] told Suspect Garcia he had to go to work and left. He did not see any injuries on Suspect Garcia at the time. For the full summary of this interview, refer to the Homicide Casebook **[EXHIBIT A, page, 40]**.

Witness [redacted]

On June 28, 2018, Homicide Detectives Perez and Guzman interviewed Witness [redacted] Witness [redacted] was driving south on Rosemead Boulevard, just past Garvey Avenue, when a man (Suspect Garcia) stepped out in front of her vehicle. She stopped and the man walked over to the driver's door and opened it. He had a knife in his hand and raised it. The man told Witness [redacted] he was going to kill her for tricking him. Witness [redacted] drove her car forward. He driver's door hit the man, and he fell down onto the street. Witness [redacted] drove forward a short distance, stopped, and called the police. She saw the man, covered in blood, running in between cars. For the full summary of this interview, refer to the Homicide Casebook **[EXHIBIT A, pages, 42-43]**.

Witness [redacted]

On July 13, 2018, Homicide Detectives Perez and Guzman interviewed Witness [redacted] Witness [redacted] was driving south on Rosemead Boulevard near Fern Street. He saw Suspect Garcia blocking traffic while holding a knife. Witness [redacted] subsequently called "9-1-1." He did not hear or see the shooting. Witness [redacted] found out about the shooting in the newspaper. For the full summary of this interview, refer to the Homicide Casebook **[EXHIBIT A, page, 43]**.

Witness [redacted]

IAB NOTE: Witness [redacted] was not interviewed by Homicide investigators. He was mentioned in a supplemental report authored by Deputy Maria Urena, # [redacted] [EXHIBIT A, pages 14-15]. Witness [redacted] was seen potentially recording the incident by other witnesses. Deputy Urena attempted to contact Witness [redacted] but received no answer at the door of his residence.

On December 2, 2020, the assigned IAB investigator attempted to contact Witness [redacted] at his residence. Witness [redacted] did not answer the door. The IAB investigator left a business card on Witness [redacted] security screen door. A person with a female-sounding voice called the assigned IAB investigator later, the same day. She stated she did not know anything about the incident and gave the phone to Witness [redacted] Witness [redacted] acknowledged he received the business card; however, declined to participate in a recorded interview. He gave a brief statement to the IAB investigator. The following is a summary of Witness [redacted] statement.

Witness [redacted] stated he did not want to get involved and, "Did not want any problems." He was home on the day of the shooting. He knew Suspect Garcia as his [redacted] The day of the incident, Witness [redacted] was inside his house when he heard gunshots. He exited his residence and saw Suspect Garcia on the ground. A knife was next to Suspect Garcia. Witness [redacted] was told by deputies to go back inside his residence, and he did.

Witness [redacted] did not see Suspect Garcia carrying the knife the day of the incident. Approximately three months prior, he saw Suspect Garcia walking through the [redacted] carrying a knife. Witness [redacted] assumed Suspect Garcia was carrying the knife the day of the shooting based on what he saw three months prior. He did not think Suspect Garcia should have been shot. Witness [redacted] believed deputies should have "tazed" Suspect Garcia instead.

Witness [redacted] stated he was assaulted and arrested by deputies four years ago on Rosemead Boulevard and Rush Avenue. Based on his experience with deputies, he did not want to get involved in this incident and did not want any trouble with the deputies.

IAB NOTE: Witness [redacted] was arrested on July 5, 2010, by

Temple Station deputies. A use of force occurred during this arrest and was documented under file number 910-08762-0560-145. The location coincides with Witness [redacted] statement.

Witness [redacted] claimed he was solicited by news media for a recorded interview. He declined the interview again, stating he did not want any trouble. Witness [redacted] claimed he did not have any videos of the incident, nor did he record the incident. He also told the IAB investigator he was not contacted by anyone from the Department regarding this incident. Witness [redacted] told the assigned IAB investigator, the female sounding voice who initially placed the phone call was "[redacted]"

IAB NOTE: **[redacted] was mentioned in Deputy Urena's supplemental report as potentially witnessing the incident and living in the same residence as Witness [redacted] She was not interviewed by Homicide Bureau.**

SUSPECT INTERVIEW

Suspect Pedro Garcia

Homicide Interview

On June 28, 2018, Homicide Detectives Perez and Guzman interviewed Suspect Garcia. Suspect Garcia admitted to having a knife in his hand and remembered deputies ordering him to drop the knife. Suspect Garcia thought the deputies were talking to someone else. A summary of the interview can be found in the Homicide Casebook **[EXHIBIT A, pages 41-42]**.

Internal Affairs Bureau Interview

Suspect Garcia was hospitalized at Patton State Hospital after being deemed mentally incompetent to stand trial. The assigned IAB investigator contacted Staff Service Analyst [redacted] Suspect Garcia's caseworker. She stated Suspect Garcia was still deemed mentally incompetent, was hospitalized for a medical condition, and was unable to interview.